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PTO/SB/05 (08-00) (modified)

Approved for use through 9/30/2001, OMB 0651-0032

Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

**NEW UTILITY  
PATENT APPLICATION  
TRANSMITTAL**

(only for new nonprovisional applications under  
37 CFR 1.53(b))

Attorney Docket Number	20423-07775
First Named Inventor	Carey Nachenberg
Title	Real-Time Training for Computer Code Intrusion Detection System
Express Mail Label No.	EV 338300949 US

17410 U.S. PTO  
10/612198  
07/01/03

APPLICATION ELEMENTS		ACCOMPANYING APPLICATION PARTS	
1. <input checked="" type="checkbox"/> Fee Transmittal Form (in duplicate)		7. <input checked="" type="checkbox"/> Assignment Papers (cover sheet & document(s))	
2. <input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27		8. <input type="checkbox"/> Certified Copy of Priority Document(s) (if foreign priority is claimed)	
3. <input checked="" type="checkbox"/> Specification <span style="float: right;">Total Pages <input type="text" value="23"/></span>	(preferred arrangement set forth below)	9. <input type="checkbox"/> Power of Attorney or Authorization of Agent	
	<input type="checkbox"/> Descriptive Title of the Invention <input type="checkbox"/> Cross Reference(s) to Related Case(s) <input type="checkbox"/> Statement Regarding Fed sponsored R & D <input type="checkbox"/> Background of the Invention <input type="checkbox"/> Brief Summary of the Invention <input type="checkbox"/> Brief Description of the Drawing(s) <input type="checkbox"/> Detailed Description <input type="checkbox"/> Claim or Claims <input type="checkbox"/> Abstract of the Disclosure	10. <input type="checkbox"/> 37 CFR 3.73(b) Statement	
4. <input checked="" type="checkbox"/> Drawing(s) (35 U.S.C. 113) <span style="float: right;">Total Sheets <input type="text" value="2"/></span>		11. <input type="checkbox"/> Preliminary Amendment	
5. Combined Declaration and Power of Attorney		12. <input type="checkbox"/> Information Disclosure Statement & PTO-1449 <input type="checkbox"/> Copies of IDS Citation(s)	
a. <input checked="" type="checkbox"/> New Declaration <span style="float: right;">Total Pages <input type="text" value="3"/></span>		13. <input checked="" type="checkbox"/> Nonpublication Request Under 35 U.S.C. 122 (b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent	
	<input checked="" type="checkbox"/> Executed (original or copy) b. <input type="checkbox"/> Copy from a prior application (37 CFR 1.63(d)) (for continuation/divisional with Box 18 completed) i. <input type="checkbox"/> DELETION OF INVENTOR(S) Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).	14. <input checked="" type="checkbox"/> Return Postcard	
6. <input type="checkbox"/> Application Data Sheet. See 37 CFR 1.76		15. <input type="checkbox"/> _____	
		16. <input type="checkbox"/> _____	
		17. <input type="checkbox"/> _____	
ADDRESS TO:			
Mail Stop Patent Application Commissioner for Patents P.O. Box 1450 Arlington, VA 22313-1450			

18. If a **CONTINUING APPLICATION**, check appropriate box and supply the requisite information below and in a preliminary amendment or in an Application Data Sheet under 37 CFR 1.76:

Continuation  Divisional  Continuation-in-part (CIP) of prior application No: \_\_\_\_\_/\_\_\_\_\_

Prior application information: Examiner: \_\_\_\_\_ Group/Art Unit: \_\_\_\_\_

For **CONTINUATION OR DIVISIONAL APPS** only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuing or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

**19. CORRESPONDENCE ADDRESS**



Customer Number and Bar Code  
Label

34415

PATENT TRADEMARK OFFICE

Name (Print/Type)	Edward J. Radio	Registration No. (Attorney/Agent)	26,793
Signature		Date	July 1, 2003

20423/07175/DOCS/1360438.1

# FEE TRANSMITTAL for FY 2003

Patent fees are subject to annual revision.

 Applicant claims small entity status. See 37 CFR 1.27**TOTAL AMOUNT OF PAYMENT** (\$ 790.00)

Complete if Known	
Application Number	not yet known
Filing Date	July 1, 2003
First Named Inventor	Carey Nachenberg
Examiner Name	not yet known
Art Unit	not yet known
Attorney Docket No.	20423-07775

**METHOD OF PAYMENT** (check all that apply)

Check  Credit Card  Money Order  Other  None  
 Deposit Account:

Deposit Account Number 19-2555

Deposit Account Name Fenwick &amp; West LLP

The Commissioner is authorized to: (check all that apply)

Charge fee(s) indicated below  Credit any overpayments  
 Charge any additional fee(s) during the pendency of this application  
 Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

**FEE CALCULATION****1. BASIC FILING FEE**

Large Entity Small Entity

Fee	Fee	Fee	Fee	Fee Description	Fee Paid
Code	(\$)	Code	(\$)		
1001	750	2001	375.	Utility filing fee	750
1002	330	2002	165	Design filing fee	
1003	520	2003	260	Plant filing fee	
1004	750	2004	375	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	
<b>SUBTOTAL (1)</b>		<b>(\$)</b>		<b>750</b>	

**2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE**

	Extra Claims	Fee from below	Fee Paid
Total Claims	20	-20** =	x 18 = 0
Independent Claims	3	-3** =	x 84 = 0
Multiple Dependent			

Large Entity				Small Entity	
Fee	Fee	Fee	Fee	Fee	Fee Description
Code	(\$)	Code	(\$)		
1202	18	2202	9		Claims in excess of 20
1201	84	2201	42		Independent claims in excess of 3
1203	280	2203	140		Multiple dependent claim, if not paid
1204	84	2204	42		*Reissue independent claims over original patent
1205	18	2205	9		**Reissue claims in excess of 20 and over original patent
<b>SUBTOTAL (2)</b>		<b>(\$)</b>		<b>0</b>	

\*\*or number previously paid, if greater; For Reissues, see above

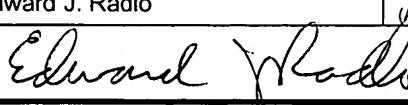
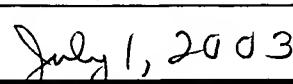
**3. ADDITIONAL FEES**

Large Entity				Small Entity	
Fee	Fee	Fee	Fee	Fee	Fee Description
Code	(\$)	Code	(\$)		
1051	130	2051	65		Surcharge - late filing fee or oath
1052	50	2052	25		Surcharge - late provisional filing fee or cover sheet
1053	130	1053	130		Non-English specification
1812	2,520	1812	2,520		For filing a request for <i>ex parte</i> reexamination
1804	920*	1804	920*		Requesting publication of SIR prior to Examiner action
1805	1,840*	1805	1,840*		Requesting publication of SIR after Examiner action
1251	110	2251	55		Extension for reply within first month
1252	410	2252	205		Extension for reply within second month
1253	930	2253	465		Extension for reply within third month
1254	1,450	2254	725		Extension for reply within fourth month
1255	1,970	2255	985		Extension for reply within fifth month
1401	320	2401	160		Notice of Appeal
1402	320	2402	160		Filing a brief in support of an appeal
1403	280	2403	140		Request for oral hearing
1451	1,510	1451	1,510		Petition to institute a public use proceeding
1452	110	2452	55		Petition to revive - unavoidable
1453	1,300	2453	650		Petition to revive - unintentional
1501	1,300	2501	650		Utility issue fee (or reissue)
1502	470	2502	235		Design issue fee
1503	630	2503	315		Plant issue fee
1460	130	1460	130		Petitions to the Commissioner
1807	50	1807	50		Processing fee under 37 CFR 1.17(g)
1806	180	1806	180		Submission of Information Disclosure Stmt
8021	40	8021	40		Recording each patent assignment per property (times number of properties)
1809	750	2809	375		Filing a submission after final rejection (37 CFR 1.129(a))
1810	750	2810	375		For each additional invention to be examined (37 CFR 1.129(b))
1801	750	2801	375		Request for Continued Examination (RCE)
1802	900	1802	900		Request for expedited examination of a design application
Other fee (specify) _____					
<b>SUBTOTAL (3)</b>				<b>(\$)</b>	<b>40</b>

\*Reduced by Basic Filing Fee Paid

**SUBMITTED BY**

Complete (if applicable)

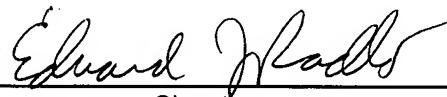
Name (Print/Type)	Edward J. Radio	Registration No. (Attorney/Agent)	26,793	Telephone (650) 335-7142
Signature		Date		

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

<b>NONPUBLICATION REQUEST UNDER 35 U.S.C. 122(b)(2)(B)(i)</b>	First Named Inventor	Carey Nachenberg
	Title	Real-Time Training for Computer Code Intrusion Detection System
	Atty Docket Number	20423-07775

I hereby certify that the invention disclosed in the attached application **has not been and will not be** the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing. I hereby request that the attached application not be published under 35 U.S.C. 122(b).

July 1, 2003  
Date



Signature

Edward J. Radio, Reg. #26,793  
Typed or printed name/Registration Number

This request must be signed in compliance with 37 CFR 1.33(b) and submitted with the application **upon filing**.

Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant **must** notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of the filing of such foreign or international application. **Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(iii)).**

Burden Hour Statement: This collection of information is required by 37 CFR 1.213(a). The information is used by the public to request that an application not be published under 35 U.S.C. 122(b) (and the PTO to process that request). Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This form is estimated to take 6 minutes to complete. This time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.